

**R277. Education, Administration.**

**R277-473. Testing Procedures.**

**R277-473-1. Definitions.**

A. "Basic skills course" means those courses specified in Utah law for which CRT testing is required.

B. "Board" means the Utah State Board of Education.

C. "Criterion Reference Test (CRT)" means a test to measure performance against a specific standard. The meaning of the scores is not tied to the performance of other students.

D. "DCS" means the USOE District Computer Services Section.

E. "Last day of school" means the last day classes are held in each school district.

F. "Norm-reference Test (NRT)" means a test where the scores are based on comparisons with a nationally representative group of students in the same grade. The meaning of the scores is tied specifically to student performance relative to the performance of the students in the norm group under very specific testing conditions.

G. "Protected test materials" means consumable and nonconsumable test booklets, directions for administering the assessments and supplementary assessment materials (e.g., videotapes) designated as protected test materials by the USOE. Protected test materials shall be used for testing only and shall be secured where they can be accessed by authorized personnel only.

H. "Raw test results" means number correct out of number possible, without scores being equated and scaled.

I. "Standardized tests" means tests required, consistent with Sections 53A-1-601 through 53A-1-611, to be administered to all students in identified subjects at the specified grade levels.

J. "USOE" means the Utah State Office of Education.

**R277-473-2. Authority and Purpose.**

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-603(3) which directs the Board to adopt rules for the conduct and administration of the testing programs and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide specific standards and procedures by which school districts shall handle and administer standardized tests.

**R277-473-3. Time Periods for Administering and Returning Materials.**

A. School districts shall require that by or before school year 2004-2005, all schools administer assessments required under Section 53A-1-603 according to the following schedule:

(1) All CRTs (elementary and secondary, English language arts, math, science) shall be given in a five week window beginning five weeks before the last Monday of the end of the course.

(2) The Utah Basic Skills Competency Test shall be given Tuesday, Wednesday, and Thursday of the first week of February and Tuesday, Wednesday, and Thursday of the third week of October.

(3) Sixth and ninth grade Direct Writing Assessment shall be

given in a three week window beginning at least 14 weeks prior to the last day of school.

B. School districts shall require that all schools within the school district administer NRTs within the time period specified by the publisher of the test.

C. School districts shall submit all answer sheets for the CRT and NRT tests to DCS for scanning and scoring as follows:

(1) School districts with fewer than 25,000 students shall return CRT answer sheets no later than one week after testing is completed.

(2) School districts with 25,000 or more students shall return CRT answer sheets no later than two weeks after testing is completed, except the science and math multiple choice tests, which shall be returned one week after testing is completed.

(3) School districts shall return NRT answer sheets no later than one week after the last day of the testing time period specified by the publisher of the test.

D. When determining the date of testing, schools on trimester schedules shall schedule the testing at the point in the course where students have had approximately the same amount of instructional time as students on a regular schedule and provide the schedule to the USOE. Basic skills courses ending in the first trimester of the year shall be assessed with the previous year's form of the CRTs.

E. Makeup opportunities shall be provided to students for the Utah Basic Skills Competency Test according to the following:

(1) Students shall be allowed to participate in makeup tests if they were not present for the entire Utah Basic Skills Competency Test or subtest(s) of the Utah Basic Skills Competency Test.

(2) School districts shall determine acceptable reasons for student makeup eligibility which may include absence due to serious illness, absence due to family emergency, or absence due to death of family member or close friend.

(3) School districts shall provide a makeup window not to exceed five school days immediately following the last day of each administration of the Utah Basic Skills Competency Test.

(4) School districts shall determine and notify parents in an appropriate and timely manner of dates, times, and sites of makeup opportunities for the Utah Basic Skills Competency Test.

#### **R277-473-4. Security of Testing Materials.**

A. All test questions and answers for all standardized tests required under Sections 53A-1-601 through 53A-1-611, shall be designated protected, consistent with Section 63-2-304(5), until released by the USOE. A student's individual answer sheet shall be available to parents under the federal Family Educational Rights and Privacy Act (FERPA), 20 USC, Sec. 1232g; 34 CFR Part 99).

B. The USOE shall maintain a record of all of the protected test materials sent to the school districts.

C. Each school district shall maintain a record of the number of booklets of all protected test materials sent to each school in the district, and shall submit the record to USOE upon request.

D. Each school district shall ensure that all test materials

are secured in an area where only authorized personnel have access, or are returned to USOE following testing as required by the USOE. Individual educators shall not retain test materials, in either paper or electronic form beyond the time period allowed for test administration.

E. Individual schools within a school district shall secure or return paper test materials within three working days of the completion of testing. Electronic testing materials shall be secured between administrations of the test, and shall be removed from teacher and student access immediately following the final administration of the test.

F. The USOE shall ensure that all test materials sent to a district are returned as required by USOE, and may periodically audit school districts to confirm that test materials are properly accounted for and secured.

G. School district employees and school personnel may not copy or in any way reproduce protected test materials without the express permission of the specific test publisher, including the USOE.

**R277-473-5. Format for Electronic Submission of Data.**

A. DCS shall communicate regularly with school districts regarding required formats for electronic submission of any required data.

B. School districts shall ensure that any computer software for maintaining school district data is, or can be made, compatible with DCS requirements and shall report data as required by the USOE.

**R277-473-6. Format for Submission of Answer Sheets and Other Materials.**

A. The USOE shall provide a checklist to each school district with directions detailing the format in which answer documents are to be collected, reviewed, and returned to the USOE.

B. Each school district shall verify that all the requirements of the testing checklist have been met.

C. CRT data may be submitted in batches in cooperation with the assigned DCS data technician.

**R277-473-7. Timing for Return of Results to School Districts.**

A. Scanning and scoring shall occur in the order data is received from the school districts.

B. Consistent with Utah law, raw test results from all CRTs shall be returned to the school before the end of the school year.

C. Each school district shall check all test results for each school within the district and for the district as a whole, verify their accuracy with DCS, and certify that they are prepared for publication within two weeks of receipt of the data. Except in compelling circumstances, as determined by the USOE, no changes shall be made to school or district data after this two week period. Compelling circumstances may include:

- (1) a natural disaster or other catastrophic occurrence (e.g., school fire) that precludes timely review of data; and
- (2) resolution of a professional practices issue that may

impede reporting of the data.

D. Districts shall not release data until authorized to do so by the USOE.

**R277-473-8. USOE and School Responsibilities for Crisis Indicators in State Assessments.**

A. Students participating in state assessments may reveal intentions to harm themselves or others, that the student is at risk of harm from others, or may reveal other indicators that the student is in a crisis situation.

B. The USOE shall notify the school principal, counselor or other school or district personnel who the USOE determines have legitimate educational interests, whenever the USOE determines, in its sole discretion, that a student answer indicates the student may be in a crisis situation.

C. As soon as practicable, the district superintendent, or designee shall be given the name of the individual contacted at the school regarding a student's potential crisis situation.

D. The USOE shall provide the school and district with a copy of the relevant written text.

E. Using their best professional judgment, school personnel contacted by USOE shall notify the student's parent, guardian or law enforcement of the student's expressed intentions as soon as practical under the circumstances.

F. The text provided by USOE shall not be part of the student's record and the school shall destroy any copies of the text once the school or district personnel involved in resolution of the matter determine the text is no longer necessary. The school principal shall provide notice to the USOE of the date the text is destroyed.

G. School personnel who contact a parent, guardian or law enforcement agency in response to the USOE's notification of potential harm shall provide the USOE with the name of the person contacted and the date of the contact within three business days from the date of contact.

**R277-473-9. Standardized Testing Rules and Professional Development Requirement.**

A. It is the responsibility of all educators to take all reasonable steps to ensure that standardized tests reflect the ability, knowledge, aptitude, or basic skills of each individual student taking standardized tests.

B. School districts shall develop policies and procedures consistent with the law and Board rules for standardized test administration, make them available and provide training to all teachers and administrators.

C. At least twice each school year, school districts shall provide professional development for all teachers, administrators, and standardized test administrators concerning guidelines and procedures for standardized test administration, including teacher responsibility for test security and proper professional practices, R686-103-6(I).

D. All teachers and test administrators shall conduct test preparation, test administration, and the return of all protected

test materials in strict accordance with the procedures and guidelines specified in test administration manuals, school district rules and policies, Board rules, and state application of federal requirements for funding.

E. Teachers, administrators, and school personnel shall not:

(1) provide students directly or indirectly with specific questions, answers, or the subject matter of any specific item in any standardized test prior to test administration;

(2) copy, print, or make any facsimile of protected testing material prior to test administration without express permission of the specific test publisher, including USOE, and school district administration;

(3) change, alter, or amend any student answer sheet or any other standardized test materials at any time in such a way as to alter the student's intended response;

(4) use any prior form of any standardized test (including pilot test materials) in test preparation without express permission of the specific test publisher, including USOE, and school district administration;

(5) violate any specific test administration procedure or guideline specified in the test administration manual, or violate any state or school district standardized testing policy or procedure;

(6) knowingly and intentionally do anything that would inappropriately affect the security, validity, or reliability of standardized test scores of any individual student, class, or school;

F. Violation of any of these rules may subject licensed educators to possible disciplinary action under Rules of Professional Practices and Conduct for Utah Educators, R686-103-6(I).

**KEY: educational testing**

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**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-603(3); 53A-1-401(3)**